



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

JUL 2 2007

Mr. David A. Bergsten, Project Manager
Policy and Program Development
Animal and Plant Health Inspection Service
U.S. Department of Agriculture
4700 River Road, Unit 141
Riverdale, MD 20737-1236

Re: Importation of Solid Wood Packing Material Draft Supplement to the Final Environmental Impact Statement (SEIS)

Dear Mr. Bergsten:

The U.S. Environmental Protection Agency (USEPA) has reviewed the Draft Supplement to the Final Environmental Impact Statement (SEIS) for "*Importation of Solid Wood Packing Material*" prepared by the Animal and Plant Health Inspection Service (APHIS). Our review is provided under the National Environmental Policy Act (NEPA), Council on Environmental Policy (CEQ) regulations (40 CFR Sections 1500 - 1508) and Section 309 of the Clean Air Act.

APHIS has adopted phytosanitary standards published by the Food and Agriculture Organization of the United Nations. These standards are contained in the International Plant Protection Convention's (IPPC) "Guidelines for Regulating Wood Packaging Material in International Trade" (International Standards for Phytosanitary Measures Number 15 (ISPM 15)). The IPPC Guidelines provide effective, equitable, and uniform standards that all nations would use to mitigate the risk from entry of invasive alien species (pests and pathogens) found in solid wood packaging material (WPM) that accompanies international trade shipments.

The solid WPM SEIS was prepared to reevaluate and refine estimates of methyl bromide release associated with compliance treatments of solid WPM. The SEIS utilized current data and information that is now available to support the effectiveness of the treatments approved under the IPPC guidelines against many pests of concern to APHIS. The SEIS also provides the decision-maker and the public with the most current information and anticipated environmental impact associated with APHIS' WPM regulation.

EPA has no objections to this draft SEIS and APHIS' adoption of the IPPC Guidelines. Accordingly, we have assigned a Lack of Objections (LO) rating to the draft SEIS. Enclosed is a summary of EPA's rating system.

We appreciate the opportunity to review the draft SEIS on the "*Importation of Solid Wood Packing Material*." If you have any questions, please call me at (202) 564-5400 or the staff contact for this project, Arthur Totten at (202) 564-7164.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne N. Miller", written in a cursive style.

Anne Norton Miller
Director
Office of Federal Activities

Enclosure

EPA's Criteria for Sec. 309 Review of Impact Statements

Rating Environmental Impacts:

LO--Lack of Objections

EC--Environmental Concerns--Impacts identified that should be avoided. Mitigation measures may be required.

EO--Environmental Objections--Significant impacts identified. Corrective measures may require substantial changes to the proposed action or consideration of another alternative, including any that was either previously unaddressed or eliminated from the study, or the no-action alternative).

Reasons can include:

- o violation of a federal environmental standard;
- o violation of the federal agency's own environmental standard;
- o violation of an EPA policy declaration;
- o potential for significant environmental degradation; or,
- o precedent-setting for future actions that collectively could result in significant environmental impacts.

EU--Environmentally Unsatisfactory--Impacts identified are so severe that the action must not proceed as proposed. If these deficiencies are not corrected in the final EIS, EPA may refer the EIS to CEQ.

Reasons, in addition to impacts identified, can include:

- o substantial violation of a federal environmental standard;
- o severity, duration, or geographical extent of impacts that warrants special attention; or,
- o national importance, due to threat to national environmental resources or policies.

Rating Adequacy of the Impact Statement:

- 1 (Adequate)--No further information is required for review.
- 2 (Insufficient Information)--Either more information is needed for review, or other alternatives should be evaluated. The identified additional information or analysis should be included in the final EIS.
- 3 (Inadequate)--Seriously lacking in information or analysis to address potentially significant environmental impacts. The draft EIS does not meet NEPA and/or Section 309 requirements. If not revised or supplemented and provided again as a draft EIS for public comment, EPA may refer the EIS to CEQ.